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PATENT
Attorney Docket No.: 12755-052700US

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Assistant Commissioner for Patents
Washington, D.C. 20231

By: Sherry Barton

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Herman Bustamante
Horen Chen

Examiner: Unassigned

Art Unit: Unassigned

Patent No.: 5,809,431

Issued: September 15, 1998

Application No. 08/574,605

Filed: December 6, 1995

For: LOCAL MULTIPOINT
DISTRIBUTION SYSTEM

ASSENT OF ASSIGNEE AND OFFER TO
SURRENDER ORIGINAL LETTERS
PATENT under 37C.F.R. §1.172 and 1.178

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Stanford Telecommunications, Inc. of Sunnyvale California, assignee and sole owner of all right, title, and interest in U.S. Letters Patent No. 5,809,431 by virtue of Assignment recorded Reel 7865, Frame 0377, hereby offer to surrender the original of U.S. Letters Patent No. 5,809,431 conditional upon the Reissue of said Letters Patent.

The undersigned further declares that he/she is authorized to sign this document on behalf of Stanford Telecommunications, Inc.; that all statements made herein of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

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H o ren Chen
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PATENT

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patents issued thereon.

Stanford Telecommunications, Inc.

Date: _____

By: _____

Title:

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RJB:sb -- SF 1135832 v1

0966241-091400

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Stanford Telecommunications, Inc.

Patent No.: 5,809,431

Issued: September 15, 1998

For: LOCAL MULTIPOINT DISTRIBUTION SYSTEM

Stanford Telecommunications, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7865, Frame(s) 0377, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

Name: _____

Title: _____

Signature: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: LOCAL MULTIPOINT DISTRIBUTION SYSTEM
Patent No.: 5,809,431
Issued: September 15, 1998
Applicants: BUSTAMANTE, Herman; CHEN, Horen
Serial No.: 08/574,605
Filed: December 6, 1995

Art Unit: 2745
Examiner: D. Armstrong

Commissioner of Patents and Trademarks
Washington, DC 20231

REISSUE DECLARATION

1. We, Herman Bustamante and Horen Chen, as the inventors and applicants of the subject matter contained in U.S. Patent 5,809,431 (the '431 patent), make the following statements contained below.
2. Residence, post office address, and citizenship of each applicant are stated next to each applicant's name at the end of this declaration.
3. The applicants individually have reviewed and do understand the contents of the specification, including the claims, as amended by an amendment accompanying this declaration.
4. Applicants believe that they are the original and first inventors of the subject matter relating to the '431 patent for which a re-issue patent is sought.

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5. Applicants acknowledge their duty to disclose to the U.S. Patent Office all information known to the Applicants to be material to the patentability of the subject matter contained in the '431 patent as defined in 37 C.F.R. 1.56.

6. Applicants assigned all their right, title and interest in the '431 patent to Stanford Telecommunications, Inc.

7. Applicants believe that the '431 patent is partly inoperative or invalid by reason of applicants claiming more or less that applicants had a right to claim.

8. In particular, applicants believe that the '431 patent contains errors in its claims, namely claims 1 to 5, in the following aspects:

- (i) Claims 1 to 5 do not claim an invention specifically focused to a single cellular communication system as provided in the specification of the '431 patent;
- (ii) Claims 1 to 5 do not claim an invention relating to a method of initiating radio frequency transmissions between a base station and a subscriber station for a cellular communication system, as provided in the specification of the '431 patent;
- (iii) Claims 1 to 5 do not claim an invention relating to a communication signal configuration arrangement for a cellular communication system as provided in the specification of the '431 patent; and
- (iv) Claims 1 to 5 do not claim an invention relating to a subscriber station in a cellular communication system as provided in the specification of the '431 patent.

9. All statements herein are true but for all statements made on information and belief, which are believed to be true. Further all statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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Inventor's Signature: _____ Date: _____

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Citizen of: United States

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